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SENATOR CUDABACK: Thank you. Thank you, Senator Chambers. (Visitors introduced.) Senator Smith, was your light...your light was on.

SENATOR SMITH: Thank you, Mr. President. I have a couple questions for Senator Matzke, if he doesn't mind.

SENATOR CUDABACK: Senator Matzke, would you yield to a question?

SENATOR MATZKE: Yes.

SENATOR SMITH: Senator Matzke, in looking through the exceptions for the beneficiaries, we've discussed a little bit about restaurants perhaps, and on page 4, line 22, subsection (B) there, sales to the ultimate consumer of tangible personal property which is not assembled, fabricated, manufactured and so on would be exempted. So, would that include, like, all mail order? I mean, we have anything from Oriental Trading in Omaha to Cabela's in the Panhandle. How would...how would potential businesses like that be affected?

SENATOR MATZKE: Retail sales are excluded from the act and that would include direct mailers such as Cabela's, that...that...I forget the one you mentioned.

SENATOR SMITH: Oriental Trading.

SENATOR MATZKE: Yeah. Yeah, this...this bill has the same criteria as LB 775 and retail sales are excluded. In other words, you don't want to include the Wal-Mart's in this type of incentive bill. And if you exclude retailers, that includes all retailers. Retailers do not qualify under this act.

SENATOR SMITH: Thank you, Senator Matzke. Let me begin by saying that I do rise in support of the bill and I think this is something that's needed around the state, but I do have concerns about excluding something like mail order that I think is becoming more prevalent with...we talk about mail order, actually it would Internet order, and without allowing some of these we lose the spin-off that's oftentimes gained by what I